

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOHN DUGAN, AURORA DUGAN, and  
MATTHEW TAPSCOTT, each  
individually and on behalf of all others  
similarly situated,

Plaintiffs,

v.

LLOYDS TSB BANK, PLC

Defendant.

No. C 12-02549 WHA

Related to:

No. C 12-02937 WHA

**NOTICE RE FURTHER  
QUESTIONS FOR ORAL  
ARGUMENT**

DAVID T. OSMENA and PATRICIA  
HOGAN-OSMENA, husband and wife,  
and on behalf of all others similarly  
situated,

Plaintiffs,

v.

LLOYDS TSB BANK, PLC.

Defendant.

(1) With respect to the existing (and proposed) plaintiffs, state whether the loan documents call out the law of Hong Kong as governing, and if so, what effect this will have on:

- (i) the claims alleged and proposed to be alleged; and
- (ii) the commonality of issues.

1 Put differently, if the law of Hong Kong applies, what would be wrong with a nationwide class  
2 to determine the extent to which, if at all, borrowers in the United States were victimized in  
3 violation of Hong Kong law.

4 (2) Where were the loan documents executed for each existing and proposed plaintiff?

5 (3) Wouldn't all class periods (assuming class certification) be limited by the statute of  
6 limitations, and if so, what possible statute would go back more than four years? Put differently,  
7 what is the point of artificially defining a class period to extend back more than four years?

8 (4) Each side must bring to oral argument written answers not to exceed two pages.

9 Please number the answers to correspond to the numbered questions above. Please do not evade.  
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12 **IT IS SO ORDERED.**

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14 Dated: January 9, 2013.

  
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15 WILLIAM ALSUP  
16 UNITED STATES DISTRICT JUDGE  
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